APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,809	11/30/2001	Steven M. Belz	82715RLO	9159

7590   07/31/2003

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EXAMINER
YODER III, CHRISS S

ART UNIT	PAPER NUMBER
2612	

DATE MAILED: 07/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

	Application No.	Applicant(s)
Office Action Summary	10/017,809	BELZ ET AL.
	Examiner	**Art Unit**
	Chriss S. Yoder, III	2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>30 November 2001</u> .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-8</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-8</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>2/29/02</u> is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>4</u> .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

DETAILED ACTION

Drawings

1.   The drawings are objected to under 37 CFR 1.83(a) because they fail to show

the image list (lines 48-66) in figure 7 as described in the specification. Any structural

detail that is essential for a proper understanding of the disclosed invention should be

shown in the drawing. MPEP § 608.02(d). A proposed drawing correction or corrected

drawings are required in reply to the Office action to avoid abandonment of the

application. The objection to the drawings will not be held in abeyance.

Information Disclosure Statement

2.   The information disclosure statement filed 11/30/01 fails to comply with 37 CFR

1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each

publication or that portion which caused it to be listed; and all other information or that

portion which caused it to be listed. It has been placed in the application file, but the

information referred to therein has not been considered.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Viktors (Japanese publication # 2000-232599) in view of Sato (Patent application # US

2001/0024236).

5.   In regard to claim 1, the primary reference of Viktors discloses the use of a digital

camera and docking station connected to the internet in order to transfer information

using the camera. Viktors discloses the use of lens and image sensor (page 3,

paragraph 0013, line 3). Viktors also discloses a docking interface, allowing the

connection of the camera to the docking station (page 2, paragraph 0012, lines1-3).

The docking station contains a connector for receiving the docking interface (page 1,

paragraph 0005, lines 3-5). It also uses a power supply and network connection (page

1, paragraph 0004, lines 3-4). Therefore, it can be seen that the Viktors reference lacks

a viewable display and a processor that receives data from the network and sends any

data to the display. Sato discloses the use of a display in order to view the captured /

received data and a processor to receive data from the network and cause it to be

displayed. Sato teaches to use a display in order to select and view images in

paragraph 0010, lines 15-16. This display can be seen in the Sato reference in

paragraph 0010, lines 12-13. As for the processor, Sato also teaches that it is needed

to process and execute the functions of the camera. This processor can be seen in

paragraph 0034, lines 10-12. The processor also provides communications through the

docking unit and displays the information on the display, which can be seen in

paragraph 0043, lines 4-6. Therefore it would have been obvious to one of ordinary skill

in the art to modify the Viktors device to include a viewable display and a processor that

receives data from the network and sends the data to the display in order to process

and view the captured / received data on the display.

6.   In regard to claim 2, as being rejected based on Viktors and Sato as applied above, the primary reference of Victors discloses the use of a digital camera and docking station. Therefore, it can be seen that the Viktors reference lacks user selected input from a channel that is displayed. Sato discloses a device receives content from the network and display this information to the screen, this can be seen in paragraph 0043, lines 4-6. Sato teaches that this is preferred to display the information in order to make the information user selectable. Therefore, it would have been obvious to one of ordinary skill in the art to modify the Viktors device to display the received content to the screen in order to make the information user selectable.

7.   In regard to claim 3, as being rejected based on Viktors and Sato as applied above, the primary reference of Viktors discloses the use of a digital camera and docking station using the internet as a channel to transfer data (page 1, paragraph 004, line1), automatically connecting to the internet when the camera is placed in the docking unit (page 4, paragraph 0024, lines 1-2). Viktors discloses the use of a predetermined service provider (page 3, paragraph 0017, lines 4-5). Therefore, it can be seen that the Viktors reference lacks the receipt of content from the service provider. The Sato device receives content from the service provider (paragraph 0013, lines 2-3). Sato teaches that it is preferred to receive content from the service provider in order for information to be easily obtained by the user (paragraph 0008, lines 4-5). Therefore, it would have been obvious to one of ordinary skill in the art to modify the Viktors device to incorporate the input of information from the service provider in order for information to be easily obtainable by the user.

8.   In regard to claim 4, as being rejected based on Viktors and Sato as applied above, the primary reference of Viktors discloses the use of a digital camera and docking station using a phone line to connect to the channel, which is the internet (page 2, paragraph 0009, lines 3-4).

9.   In regard to claim 5, the primary reference of Viktors discloses the use of a digital camera and docking station connected to the internet in order to transfer information using the camera. Viktors discloses the use of lens and image sensor (page 3, paragraph 0013, line 3). Vicktors also discloses a docking interface, allowing the connection of the camera to the docking station (page 2, paragraph 0012, lines1-3). The docking station contains a connector for providing an electrical connection with the docking interface (page 1, paragraph 0005, lines 3-5). Viktors also discloses a network connection (page 1, paragraph 0004, lines 3-4). Therefore, it can be seen that the Viktors reference lacks a camera with a viewable display, a processor that receives data from the network and sends any data to the display, and a service provider that includes a memory for storage and a plurality of accounts that is able to service a plurality of cameras over the internet. Sato discloses the use of a display in order to view the captured/received data and a processor that sends the data to the display. Sato teaches to use a display in order to select and view images (paragraph 0010, lines 15-16). This display can be seen in the Sato reference in paragraph 0010, lines 12-13. As for the processor, Sato also teaches that it is needed to process and execute the functions of the camera. This processor can be seen in paragraph 0034, lines 10-12. The processor also provides communications through the docking unit and displays any

information on the display, which can be seen in paragraph 0043, lines 4-6. As for the service provider, Sato also teaches the use of a server to store user account information in order to send the correct information that is selected (paragraph 0010, lines 3-5). Sato also teaches the use of several stations that accept communication from any number of cameras (paragraph 0039, lines 3-8). Therefore it would have been obvious to one of ordinary skill in the art to modify the Viktors device to include a viewable display and a processor that receives data from the network and sends the data to the display in order to process and view the captured / received data on the display, and to allow multiple connections of cameras to the server in order to broaden the user base and communication area.

10.   In regard to claim 6, as being rejected based on Viktors and Sato as applied above, the primary reference of Victors discloses the use of a digital camera and docking station using the internet to communicate to the server. Therefore, it can be seen that the Viktors reference lacks the ability to display images that are received from the server. Sato discloses the receipt of images from the service provider and the use of a display to view the received content (paragraph 0043, lines 2-6). Sato teaches that this is preferred in order to give the user more control over the content that is received. Therefore, it would have been obvious to one of ordinary skill in the art to modify the Viktors device to have the service provider send selected content to the camera and have the camera display the content in order to provide the user with more control over the content that is selected.

11.   In regard to claim 7, as being rejected based on Viktors and Sato as applied

above, the primary reference of Viktors discloses the use of a digital camera and

docking station using a phone line to connect to the channel, which is the internet (page

2, paragraph 0009, lines 3-4).

12.   In regard to claim 8, the primary reference of Viktors discloses the use of a digital

camera and docking station (page 1, paragraph 0005, line 3) connected to the internet

(page 1, paragraph 0004, line 1) in order to transfer information using the camera.

Therefore, the Viktors device lacks a viewable display and having content sent through

the docking station to the camera and displayed on the display. Sato teaches to use a

display in order to select and view content (paragraph 0010, lines 15-16). Sato

discloses the use of a display in paragraph 0010, lines 12-13.   Sato teaches that the

content needs to be displayed on the display in order for the user to select and view the

content. Sato also discloses the use of a channel connected to the docking unit to

provide content to the user, which is displayed on the display (paragraph 0043, lines 2-

3). Therefore, it would have been obvious to one of ordinary skill in the art to modify the

Viktors device to use a viewable display in order for the user to have the ability for the

user to view the contents that are received from the server.

The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

US006167469A : Note the use of a digital camera with a display and a network

connection where the network connection is used to upload files to a server.

US005825408A : Note the use of a digital camera with a docking station that connects to a network in order to transmit data over the telephone line.

US006288800B1: Note the use of an apparatus that output an image to a display and also outputs the image to a communication line.

US20010024232A1: Note the use of a camera that captures images and transmit them over the internet.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chriss S. Yoder, III whose telephone number is (703) 305-0344. The examiner can normally be reached on M-F: 8 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on (703) 305-4929. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to customer service whose telephone number is (703) 306-0377.

CSY
July 28, 2003

NGOC-YEN VU
PRIMARY EXAMINER